

Luzenac America, Inc.
Androscoggin County
Auburn, Maine
A-702-71-D-R

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Departmental
Findings of Fact and Order
Air Emission License

After review of the air emissions license application, staff investigation reports and other documents in the applicant's file in the Bureau of Air Quality, pursuant to 38 M.R.S.A., Section 344 and Section 590, the Department finds the following facts:

I. REGISTRATION

A. Introduction

Luzenac America, Inc. (Luzenac) of Auburn, Maine has applied to renew their Air Emission License permitting the operation of their talc slurry processing facility. The facility is contract operated by Safe Handling, Inc., also of Auburn.

Previous licenses inadvertently omitted reference to Luzenac's hot water boiler; the boiler has been added to this license and emission calculations have been adjusted accordingly.

B. Emission Equipment

Luzenac is authorized to operate the following equipment:

Talc Slurry Processing

<u>Equipment</u>	<u>Production Rate (tons/hr)</u>	<u>Pollution Control Equipment</u>	<u>Stack #</u>
Storage Silo #1	20	Fabric filter	1
Storage Silo #2	20	Fabric filter	1
Pneumatic Receiver #1	14	Fabric filter	2
Pneumatic Receiver #2	14	Fabric filter	3

Fuel Burning Equipment

<u>Equipment</u>	<u>Maximum Capacity (MMBtu/hr)</u>	<u>Maximum Firing Rate (cu ft/hr)</u>	<u>Fuel</u>	<u>Stack #</u>
Hot Water Boiler	1.2	1165	Natural gas	4

C. Application Classification

The application for Luzenac does not include the licensing of increased emissions or the installation of new or modified equipment. Therefore, the license is considered to be a renewal of current licensed emission units only.

II. BEST PRACTICAL TREATMENT (BPT)

A. Introduction

In order to receive a license the applicant must control emissions from each unit to a level considered by the Department to represent Best Practical Treatment (BPT), as defined in Chapter 100 of the Air Regulations. Separate control requirement categories exist for new and existing equipment as well as for those sources located in designated non-attainment areas.

BPT for existing emissions equipment means that method which controls or reduces emissions to the lowest possible level considering:

- the existing state of technology
- the effectiveness of available alternatives for reducing emissions from the source being considered; and
- the economic feasibility for the type of establishment involved.

B. Process Description

Pressure differential rail cars deliver pelletized dry talc to storage silo #1 and #2. The talc is pneumatically conveyed to receivers #1 and #2, which deliver it to two kady mills (mixers) that mix the talc with heated water to form a slurry. The hot water boiler supplies the hot water used in the process. The processed talc slurry is then transferred to two 20,000 gallon slurry storage tanks and finally to tank trucks for shipment to pulp mills. Three fabric filter dust collectors control particulate matter throughout the process. One filter serves both storage silos and is operated during talc deliveries; particulate emissions from each of the pneumatic receivers are controlled by the remaining two filters. Local exhaust air is also used to control fugitive dust during talc unloading from the differential cars.

C. Talc Slurry Processing

To meet the requirements of BPT for control of particulate matter (PM), emissions from the #1 and #2 talc storage silos and the #1 and #2 pneumatic receivers shall be vented through fabric filters maintained for 99% removal efficiency. Visible emissions from each of the fabric filters shall be limited to 5% opacity on a 6-minute block average basis, except for 5 minutes in any one hour period. All components of the talc slurry plant shall be maintained to prevent PM leaks.

D. Hot Water Boiler

The hot water boiler was manufactured in 1998 with a maximum design capacity of 1.2 MMBtu/hr. It is therefore not subject to EPA's New Source Performance Standards 40 CFR 60, Subpart Dc, for boilers with a heat input of 10 MMBtu/hr or greater, and manufactured after June 9, 1989.

A summary of the BPT analysis for the hot water boiler follows:

1. *Low Sulfur Fuel*, 06-096 CMR 106 (last amended June 9, 1999) regulates fuel sulfur content. However, the use of natural gas is more stringent and shall be considered BPT.
2. A PM emission limit of 0.05 lb/MMBtu shall be considered BPT. The PM₁₀ limits are derived from the PM limits.
3. SO₂, NO_x, CO and VOC emission limits based upon AP-42 data dated 7/98 for the combustion of natural gas.
4. Visible emissions from the hot water boiler's stack shall not exceed 10% opacity on a six (6) minute block average, except for no more than one (1), six (6) minute average in a 3-hour period.

E. Stock Piles and Roadways

Visible emissions from a fugitive emission source shall not exceed an opacity of 20%, except for no more than five (5) minutes in any 1-hour period. Compliance shall be determined by an aggregate of the individual fifteen (15)-second opacity observations which exceed 20% in any one (1) hour.

F. Annual Emission Restrictions

Luzenac shall not exceed the following emissions on a calendar year basis:

Total Allowable Annual Emission for the Facility
(used to calculate the annual license fee)

<u>Pollutant</u>	<u>Tons/Year</u>
PM	0.26
PM ₁₀	0.26
SO ₂	0.01
NO _x	0.52
CO	0.43
VOC	0.03

Emissions are based on the continuous operation of the Hot Water Boiler.

III. AMBIENT AIR QUALITY ANALYSIS

According to the Maine Regulations Chapter 115, the level of air quality analyses required for a renewal source shall be determined on a case-by case basis. Based on the total facility emissions, Luzenac is below the emissions level required for modeling and monitoring.

ORDER

The Department hereby grants Air Emission License A-702-71-D-R subject to the following conditions:

Severability. The invalidity or unenforceability of any provision, or part thereof, of this License shall not affect the remainder of the provision or any other provisions. This License shall be construed and enforced in all respects as if such invalid or unenforceable provision or part thereof had been omitted.

STANDARD CONDITIONS

- (1) Employees and authorized representatives of the Department shall be allowed access to the licensee's premises during business hours, or any time during which any emissions units are in operation, and at such other times as the Department deems necessary for the purpose of performing tests, collecting samples, conducting inspections, or examining and copying records relating to emissions (38 M.R.S.A. §347-C).
- (2) The licensee shall acquire a new or amended air emission license prior to commencing construction of a modification, unless specifically provided for in Chapter 115. [06-096 CMR 115]
- (3) Approval to construct shall become invalid if the source has not commenced construction within eighteen (18) months after receipt of such approval or if construction is discontinued for a period of eighteen (18) months or more. The Department may extend this time period upon a satisfactory showing that an extension is justified, but may condition such extension upon a review of either the control technology analysis or the ambient air quality standards analysis, or both. [06-096 CMR 115]
- (4) The licensee shall establish and maintain a continuing program of best management practices for suppression of fugitive particulate matter during any period of construction, reconstruction, or operation which may result in fugitive dust, and shall submit a description of the program to the Department upon request. [06-096 CMR 115]

- (5) The licensee shall pay the annual air emission license fee to the Department, calculated pursuant to Title 38 M.R.S.A. §353. [06-096 CMR 115]
- (6) The license does not convey any property rights of any sort, or any exclusive privilege. [06-096 CMR 115]
- (7) The licensee shall maintain and operate all emission units and air pollution systems required by the air emission license in a manner consistent with good air pollution control practice for minimizing emissions. [06-096 CMR 115]
- (8) The licensee shall maintain sufficient records to accurately document compliance with emission standards and license conditions and shall maintain such records for a minimum of six (6) years. The records shall be submitted to the Department upon written request. [06-096 CMR 115]
- (9) The licensee shall comply with all terms and conditions of the air emission license. The filing of an appeal by the licensee, the notification of planned changes or anticipated noncompliance by the licensee, or the filing of an application by the licensee for a renewal of a license or amendment shall not stay any condition of the license. [06-096 CMR 115]
- (10) The licensee may not use as a defense in an enforcement action that the disruption, cessation, or reduction of licensed operations would have been necessary in order to maintain compliance with the conditions of the air emission license. [06-096 CMR 115]
- (11) In accordance with the Department's air emission compliance test protocol and 40 CFR Part 60 or other method approved or required by the Department, the licensee shall:
 - A. perform stack testing to demonstrate compliance with the applicable emission standards under circumstances representative of the facility's normal process and operating conditions:
 1. within sixty (60) calendar days of receipt of a notification to test from the Department or EPA, if visible emissions, equipment operating parameters, staff inspection, air monitoring or other cause indicate to the Department that equipment may be operating out of compliance with emission standards or license conditions; or
 2. pursuant to any other requirement of this license to perform stack testing.
 - B. install or make provisions to install test ports that meet the criteria of 40 CFR Part 60, Appendix A, and test platforms, if necessary, and other accommodations necessary to allow emission testing; and
 - C. submit a written report to the Department within thirty (30) days from date of test completion.[06-096 CMR 115]

- (12) If the results of a stack test performed under circumstances representative of the facility's normal process and operating conditions indicate emissions in excess of the applicable standards, then:
- A. within thirty (30) days following receipt of such test results, the licensee shall re-test the non-complying emission source under circumstances representative of the facility's normal process and operating conditions and in accordance with the Department's air emission compliance test protocol and 40 CFR Part 60 or other method approved or required by the Department; and
 - B. the days of violation shall be presumed to include the date of stack test and each and every day of operation thereafter until compliance is demonstrated under normal and representative process and operating conditions, except to the extent that the facility can prove to the satisfaction of the Department that there were intervening days during which no violation occurred or that the violation was not continuing in nature; and
 - C. the licensee may, upon the approval of the Department following the successful demonstration of compliance at alternative load conditions, operate under such alternative load conditions on an interim basis prior to a demonstration of compliance under normal and representative process and operating conditions.
- [06-096 CMR 115]
- (13) Notwithstanding any other provisions in the State Implementation Plan approved by the EPA or Section 114(a) of the CAA, any credible evidence may be used for the purpose of establishing whether a person has violated or is in violation of any statute, regulation, or Part 70 license requirement. [06-096 CMR 115]
- (14) The licensee shall maintain records of malfunctions, failures, downtime, and any other similar change in operation of air pollution control systems or the emissions unit itself that would affect emission and that is not consistent with the terms and conditions of the air emission license. The licensee shall notify the Department within two (2) days or the next state working day, whichever is later, of such occasions where such changes result in an increase of emissions. The licensee shall report all excess emissions in the units of the applicable emission limitation. [06-096 CMR 115]
- (15) Upon written request from the Department, the licensee shall establish and maintain such records, make such reports, install, use and maintain such monitoring equipment, sample such emissions (in accordance with such methods, at such locations, at such intervals, and in such a manner as the Department shall prescribe), and provide other information as the Department may reasonably require to determine the licensee's compliance status. [06-096 CMR 115]

SPECIFIC CONDITIONS

(16) Talc Slurry Processing

- A. Particulate emissions from the talc storage silos #1 and #2 and pneumatic receivers #1 and #2 shall be vented through fabric filters. The fabric filters and all components of the facility shall be maintained so as to prevent excess emissions and PM leaks. [06-096 CMR 115, BPT]
- B. The licensee shall keep a maintenance log recording the date and location of all filter failures as well as all routine and non-routine maintenance. The maintenance log shall be kept on-site at the facility. [06-096 CMR 115, BPT]
- C. Visible emissions from the #1 and #2 talc storage silos' fabric filter and the two pneumatic receivers' fabric filters shall not exceed 5% opacity on a six minute block average basis except for 5 minutes in any one hour period. [06-096 CMR 101, BPT]

(17) Hot Water Boiler

- A. The hot water boiler shall fire only natural gas. [06-096 CMR 115, BPT]
- B. Emission from the boiler shall not exceed the following: [06-096 CMR 115, BPT]

Hot Water Boiler Emission Limits

	<u>lb/hr</u>
PM	0.06
PM₁₀	0.06
SO₂	Neg.
NO_x	0.12
CO	0.10
VOC	0.01

- C. Visible emissions from the hot water boiler's stack shall not exceed 10% opacity on a six (6) minute block average, except for no more than one (1), six (6) minute average in a 3-hour period. [06-096 CMR 101]

(18) Stockpiles and Roadways

Visible emissions from a fugitive emission source shall not exceed an opacity of 20%, except for no more than five (5) minutes in any 1-hour period. Compliance shall be determined by an aggregate of the individual fifteen (15)-second opacity observations which exceed 20% in any one (1) hour. [06-096 CMR 101]

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- (19) Luzenac shall keep a copy of this Order on site, and have the operator(s) be familiar with the terms of this Order.
- (20) Luzenac shall notify the Department within 48 hours and submit a report to the Department on a quarterly basis if a malfunction or breakdown in any component causes a violation of any emission standard [38 M.R.S.A. §605-C].

DONE AND DATED IN AUGUSTA, MAINE THIS 25th DAY OF FEBRUARY, 2008.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: _____
DAVID P. LITTELL, COMMISSIONER

The term of this license shall be five (5) years from the signature date above.

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: 9/19/2007

Date of application acceptance: 10/3/2007

Date filed with the Board of Environmental Protection: February 26, 2008

This Order prepared by Jonathan Voisine, Bureau of Air Quality.